

III. REFUGEE CASH ASSISTANCE

A. Introduction

Refugee Cash Assistance (RCA) is a program that provides financial support to needy refugees for a limited period of time, so that they can become self-sufficient in the United States. *(Note: The official and correct name for this program is "Refugee Cash Assistance," not "Refugee Other," which has been used in certain contexts in the past.)* This federally funded program is administrated in Virginia under the supervision of the Office of Newcomer Services through local departments of social services. It provides assistance to refugees who meet the financial criteria of the Temporary Assistance for Needy Families (TANF) program, but may not meet all non-financial criteria. In its scope of benefits and responsibilities, the RCA program mirrors the TANF program. It is, however, a program of last resort, after it has been determined that the individual is not eligible for cash assistance from the TANF or Supplemental Security Income (SSI) programs.

In line with the Virginia Independence Program (VIP) and the Virginia Initiative for Employment Not Welfare (VIEW), the Virginia Refugee Resettlement Program (VRRP) has as its goal to foster the earliest durable economic self-sufficiency and social self-reliance for newly arriving refugee individuals and families residing in the Commonwealth. Because self-sufficiency has been stressed in VRRP from the beginning of the program, which pre-dates VIP/VIEW, and because of the success of employment service providers, the majority of refugees in the state become self-sufficient early on without having to rely on public cash assistance.

B. Eligibility

- 1. Introduction** - Refugees are entitled to receive the full spectrum of public services and resources that are available to U.S. citizens. Therefore, before they can be approved for RCA, it must first be determined whether they are eligible for other assistance programs. The application procedure for TANF, Food Stamps, and RCA is administered at the local Department of Social Services. Applications for SSI must be submitted at the local office of the Social Security Administration.

2. General Requirements for Benefit Programs:

- a. For more detailed information about the non-financial eligibility requirements for benefit programs, consult the following resources:

1) TANF

- *Virginia Department of Social Services TANF Manual*, Chapter 200

2) Food Stamps

- *Food Stamp Certification Manual*, Vol. V, Part VII

3) SSI

- *Social Security Handbook*, Chapter 21 (especially sections 2111-2115); available online at: http://www.ssa.gov/OP_Home/handbook/ssa-hbk.htm

- b. Here are some of the key non-financial client eligibility requirements for these programs. The individual:

- Must be a U.S. citizen or a qualified alien (refugees fall into this category) with documentation of status.
- Must establish Virginia residency, which can be done simply by verbal acknowledgement of intent to reside in the state.
- Must meet the particular requirements of the program to which he or she is applying.

3. **Financial Eligibility Requirements** – The eligibility worker, and/or the Social Security employee, will assess whether the refugee, in addition to the general requirements, meets the financial limits for the respective programs. For financial guidelines, see the manual of the respective program: **1)** *Virginia Department of Social Services TANF Manual*, section 305; **2)** *Food Stamp Certification Manual*, Vol. V, Parts IX-XII; and **3)** *Social Security Handbook*, sections 2113.1 & 2128-2147.

4. **Documentation** – In order to be considered for any of these benefit programs, it must be verified through INS documentation that the individual meets the “qualified alien” eligibility criteria. This should not pose a problem for the refugee, as long as the proper documentation is presented at the time of application (see *Appendix A* for examples of appropriate documents). Victims of trafficking need only to present their certification letter or letter for children from the Office of Refugee Resettlement. INS documentation is not needed, though the individual may use it for identification purposes.

5. RCA Eligibility

- a. If it is determined that the refugee does not meet the non-financial requirements for TANF or SSI, but does meet the financial eligibility standards for assistance, he or she will automatically be considered for the RCA program (i.e. there is no separate application procedure).
- b. RCA eligibility will be considered as long as the application falls into the established time limit of eight months from the month of arrival in the United States (see section C below for more information about time limits).
- c. The refugee must not be enrolled as a full-time student in an institution of higher education.
 - 1) The only exception to this is when a refugee is enrolled in a one-year re-certification program, which is part of the individual's Comprehensive Resettlement Plan (CRP [see sections II.B.3 & V.E.1 of this manual for details]).
 - 2) The CRP should clearly state how the program would contribute to the refugee's self-sufficiency, in compliance with employability plan specifications outlined in CFR 400.79.
- d. The refugee must provide the name of the sponsoring resettlement agency to the eligibility worker. Asylees and victims of trafficking are exempt from this requirement.

Note about Match Grant: RCA should be distinguished from a federal program called *Match Grant*, which is administered by refugee resettlement agencies. Under *Match Grant*, refugees receive special funds and resources in order to accelerate their self-sufficiency. Therefore, they may receive either Match Grant or RCA – not both.

6. Newborns

- a. Eligibility for cash assistance is established automatically for a newborn child if either of the following conditions apply:
 - 1) Both of the parents are refugees and they meet the financial requirements for a cash assistance program
 - 2) The mother is receiving RCA when the child is born
- b. The eligibility worker should determine whether the child is eligible for TANF before determining eligibility for RCA.

- c. Infants who meet the requirements in 6.a may receive RCA until the end of the mother's eighth month period of eligibility.

C. Time Limits

General Provisions - If all eligibility requirements have been met, a refugee may receive Refugee Cash Assistance for up to eight months following the month of arrival into the United States. (see Eligibility Timeline in *Appendix H*). For refugees who qualify for assistance, benefits are calculated from the day on which the "Application for Benefits" was filed.

Special Consideration for Asylees & Victims of Trafficking

- a. For an asylee, the eight-month eligibility period begins on the month that the individual's status as an asylee was officially granted.
- b. For a victim of trafficking, the eligibility period begins on the date of certification and ends on the expiration date that is listed in the letter from ORR. The eligibility period lasts eight months from the date of certification, yet ORR also plans to issue follow-up certification letters so that at least some victims of trafficking may continue to be eligible for the program beyond the initial eight months.

D. Benefits

1. **Refugee Cash Assistance** – The RCA program mirrors the TANF program in the cash benefits that refugees may receive. Refer to the *Virginia Department of Social Services TANF Manual*, chapter 500 for policy regarding the payment of benefits.
2. **Food Stamps** – Depending on the refugee's financial and non-financial qualifications, it is possible to receive both RCA payments and Food Stamps. See section IV.F below for details.
3. **Other Virginia Department of Social Services Programs**
 - a. Several additional temporary assistance programs are offered through the Virginia Department of Social Services. Refugees may be eligible for them under certain circumstances. These include:

- 1) *Energy Assistance Program* – provides fuel, crisis, cooling, and weatherization assistance to qualified low-income households.
 - 2) *Disaster Assistance* – supplies funding for victims of a natural disaster. This covers housing, funeral, personal property, transportation, and other expenses incurred by eligible disaster victims following an emergency declaration by the Governor and the President.
 - 3) *State/Local Hospitalization Program* – sends direct payment to hospitals for qualified persons who cannot pay for required medical services. It covers inpatient and outpatient hospitalization, ambulatory surgical services and Health Department clinic visits. It does not pay for physician services however.
- b. Information on these programs can be obtained through the local Department of Social Services or on the Virginia Department of Social Services web page at:
<http://www.dss.state.va.us>

E. Administration

1. Guide

- a. The process to determine a refugee's eligibility for any of the public assistance programs begins when the refugee applies for benefits at the local Department of Social Service (DSS).
- b. The refugee completes the "Application for Benefits" (#032-03-824). Available at the local DSS or on the web at:
http://www.dss.state.va.us/benefit/benefit_form.html
- c. The eligibility worker should conduct a face-to-face interview with the refugee in order to ensure that the information reported is accurate and to obtain necessary documentation (*For expectations of those working with refugees see section II.E of this manual*). The "Request for Assistance" – ADAPT 032-03-875 is also used by agencies during interactive interviews with clients.
- d. If the eligibility worker discovers that the refugee may qualify for Supplemental Security Income (SSI), the individual is referred to the local office of the Social Security Administration in order to file an application for SSI.

- e. A refugee is considered for RCA only after it has been determined that the individual does not qualify for the TANF or SSI programs. The same financial eligibility requirements that are used for TANF should be used to determine eligibility for RCA (see *VDSS TANF Manual*, section 305).
- f. RCA may be used for short-term assistance to individuals with a 'temporary disability' and/or who may be waiting for SSI benefits to begin. RCA funds may also be used when a refugee has an urgent need for cash assistance and needs to be issued an initial payment on an emergency basis while his/her eligibility for cash assistance programs is being determined.
- g. Documentation of refugee status must be presented at the time of application (see *Appendix A*). Victims of trafficking must submit their certification or letter for children in place of any INS documentation (see *Appendix B*). A Social Security Number is not needed to apply for RCA, though the individual should provide proof of application for a Social Security Card. The eligibility worker must assist the refugee in applying for a Social Security Number if he/she has yet to apply for one. (see *Appendix F*). If the refugee does not have a Social Security Card, the eligibility worker should enter a pseudo-Social Security Number into the system (i.e. follow the same procedure that is used with infants who have not been assigned a Social Security Number: 888 plus date of birth or date of application for SSN).
- h. The refugee must not be enrolled as a full-time student in an institution of higher education. If the refugee is a full-time student in a one-year re-certification program (see section IV.B.5.c above), he/she must provide documentation showing that this is part of a comprehensive resettlement program (CRP) established by her/his resettlement agency.
- i. The eligibility worker should notify the sponsoring resettlement agency that the refugee has applied for temporary assistance programs.

2. Procedures for Processing Victims of Trafficking

- a. Upon applying for benefits, the victim of trafficking must present the original copy of the certification letter or letter for children that was received from the Office of Refugee Resettlement (ORR).

- b. If there is a problem confirming the identity of the individual, the eligibility worker should not automatically deny the application, but instead call ORR's trafficking verification line at (202) 401-5510.
- c. The eligibility worker should make a photocopy of the letter, to be retained for the individual's file, and then return the original copy to the applicant.
- d. The worker should then call the trafficking verification line at 202-401-5510 to confirm the validity of the certification letter or letter for children. This should be done before providing any benefits to the applicant.
- e. During the verification phone call, the worker must notify ORR of the benefits for which the individual has applied.
- f. The worker should not contact the SAVE system, as it does not contain information about victims of trafficking. (SAVE stands for System for Alien Verification for Entitlement.)

3. Income Considerations

- a. Income and resources at the date of application, not the average income over the application-processing period, shall be the criteria for eligibility for RCA.
- b. Assets are also considered when determining eligibility for RCA and mirror the stipulations and limits in the *Virginia Department of Social Services TANF Manual*, Chapter 300. Any assets that refugees may hold in their land of origin should not be considered against the limits set for medically needy individuals.
- c. The income and resources of a refugee's sponsor(s) cannot be used in determining eligibility for the RCA program, nor can shelter or in-kind resources provided to the refugee by the sponsor.
- d. Any cash assistance payments to the refugee under the Department of State or Department of Justice Reception and Placement program should not be counted as income or assets.
- e. Income and assets should be compared to the eligibility standards in the appendices of section 305 of the *Virginia Department of Social Services TANF Manual*.

4. Title VI & Persons with Limited English Proficiency

- a. Title VI of the Civil Rights Act of 1965 requires that agencies and service providers offer language assistance in order that refugees may have meaningful access to the full spectrum of services, resources, and programs that are available to them.
- b. ***Please refer to section II.E.1 of this manual for a full explanation of the expectations of those who work in some way with refugees.***

5. Protocol and Communication

- a. The Office of Newcomer Services regards successful refugee resettlement to be a continuum - involving the efforts of many actors working cooperatively over a period of time - which leads from the refugees' initial arrival into Virginia to self-sufficiency, and ideally citizenship and full participation in the communities in which they reside.
- b. It is essential that the resettlement agency, service providers, health workers, and the local Department of Social Services work together to make sure that refugees have full access to all of the benefits and services they are entitled to receive. In order to promote good interaction between these parties and to facilitate effective operations, a plan for protocol and communication should be put in place.
- c. ***See V.E.1-2 in this manual for more details as to how this can be accomplished.***

F. Food Stamps

- 1. **Introduction** – The majority of refugees, with the help of the employment specialists in the VRRP program, find jobs soon after their arrival to the United States and are able to become self-sufficient without having to utilize public cash assistance. However, the Food Stamp Program is one of the most commonly utilized benefits programs among Virginia's refugee population. Many refugees can meet the eligibility requirements for food stamps during their first few months in the U.S. and welcome the extra assistance in providing meals for their families. Because this is such an important supplement to the few resources available to refugees during their transition to life in America, it is important that eligibility workers follow certain steps so that the refugee is not disqualified unnecessarily from the program.

2. Resources

- a. For more detailed information about the Food Stamp Program, please consult the following:
 - *Food Stamps Certification Manual, Vol. V*
- b. For income eligibility standards, see part 11. For non-financial eligibility criteria, see part 7. For employment services, see parts 8, 12, and 15.

3. Guide

- a. Typically, refugees apply for food stamps at the same time that they apply for other benefits programs.
- b. Eligibility workers should automatically consider the refugee applicant for food stamps, even if it appears that the refugee may not be eligible for the RCA or RMA programs.
- c. With regard to income, the eligibility worker should follow the same principles that are employed when determining a refugee's eligibility for any of the other public benefit programs (see section IV.E above). This means that any resources provided to the refugee from the resettlement agency for reception and placement should **not** be counted as income.
- d. The majority of the reception and placement funding granted to the resettlement agency for the refugee is used to establish a home for the refugee and his family. Therefore, a portion of these funds can be considered "exempt resources," as they are used to provide household goods (see the *Virginia Department of Social Services Manual, vol. V: Food Stamps Manual, part 9, page 10*).
- e. The remainder of the reception and placement funds should not be counted when determining income because they fall into the category of "in-kind benefits and vendor payments" (see the *Food Stamps Manual, part 11, pages 12-13*).
- f. Apart from reception and placement funding, any income gained by the refugee through employment or other means should be considered when making an eligibility determination for food stamps (see the *Food Stamps Manual, part 11, pages 1-11*).

4. Work Requirements

- a. Anyone of age 18 to 50 who is receiving food stamps and is able to work must fulfill certain work requirements in order to remain eligible for the Food Stamp Program (see the *Food Stamps Manual, part 15, pages 2-3* for exemptions to the work requirement).
- b. The Food Stamp Employment Training Program (FSET) is operated by local Departments of Social Services. The local agency has some flexibility in how it implements the employment component of the program. Therefore, the Office of Newcomer Services recommends that the provisions outlined in section G below be applied to the Food Stamp Program as well as the TANF Program.

G. Employment Considerations

1. Refugee Resettlement and the Work Component of TANF

- a. One of the key principles of the model of refugee resettlement in the state of Virginia is that a refugee's early employment promotes his/her earliest economic self-sufficiency (see section II in this manual). This is clearly in line with the "work-first" philosophy that is in operation in the TANF program through the Virginia Independence Program (VIP) and the Virginia Initiative for Employment not Welfare (VIEW). Therefore, it is expected that refugees in the TANF program will abide by the requirements of VIEW.
- b. The Office of Newcomer Services promotes the belief that refugees are best served by a community-based system of care that is comprehensive, coordinated, and responsive to the strengths and needs of refugees and their families. Therefore, it is essential that the Employment Service Worker in the local Department of Human Services and the refugee's resettlement provider work closely together to develop a realistic plan that will lead to the refugee's earliest self-sufficiency. ONS recommends that a representative from the resettlement provider be present during the initial assessment of the refugee for the VIEW program and be an active participant in the completion of the VIEW Activity and Service Plan.
- c. Refugees receiving TANF must comply with the VIEW program requirements – meeting all of the established deadlines – and are not exempt from any sanctions if they do not comply.

However, careful consideration should be given at the outset to the rights accorded to persons of limited English proficiency (LEP) under Title VI of the Civil Rights Act. At every step in the process, the refugee resettlement provider **and** the local Department of Social Services must ensure that the refugee is not denied full-access because they have not been given proper translation and interpretation services.

- c. English Language Training (ELT) should be worked into the VIEW Activity and Service Plan, as well as the provider's Comprehensive Resettlement Plan, so that it is offered **concurrently** with employment services (see also section V in this manual).
- d. ELT can be used to waive the "up-front job search" requirements (including the 40 job contacts) if it is determined that it would be in the interest of the refugee and would lead more quickly to his or her self-sufficiency. This provision is based on chapter 1000, section 7.A.1.h of the *TANF Manual*. It should be noted that ELT is considered a "vocational education program" for the purposes of the VIEW program, because having an adequate command of the English language is an important factor in the refugee's finding and sustaining employment in the United States.

2. Work Requirements for the RCA Program

- a. Though a refugee is not required to participate in VIEW unless s/he is receiving benefits from the TANF program, early employment is still a high priority.
- b. Refugee Cash Assistance, therefore, is to be considered transitional aid leading the refugee toward the earliest possible self-sufficiency.
- c. Work requirements are established by the employment specialist of the refugee's resettlement agency (or another designated service provider). These are worked into the refugee's Comprehensive Resettlement Plan (CRP). See section V.E.1 and V.E.3 of this manual for more information about the CRP.

3. Asylees & Employee Authorization Documents

- a. Asylees cannot receive a Social Security Card (other than one that states it is not valid for employment) without an

Employment Authorization Document (EAD) issued by the Immigration and Naturalization Service (INS).

- b. Employers need either a Social Security Card or an EAD from the asylee in order to process the I-9 form with the INS, so that the individual may begin employment.
- c. The asylee needs to file INS Form I-765 to apply for the EAD. The form can be obtained by calling 1-800-870-3676. It can also be downloaded from the INS web page at the following link:
<http://www.ins.usdoj.gov/graphics/formsfee/forms/i-765.htm>
- d. The I-765 should be sent to the INS Regional Service Center at this address:
INS Service Center
P.O. Box 87765
Lincoln, NE 68501-7765
(Note: please check with the local INS field office to verify the current listing for addresses, phone numbers, and web sites.)
- e. If the INS does not approve or deny the asylee's application within 30 days, an Interim EAD can be requested from an INS district office. INS will sometimes issue an Interim EAD along with the asylum letter; still, the asylee must apply for a regular EAD.
- f. The Interim EAD, which serves to authorize employment until the EAD arrives, can be obtained by the asylee through a personal appearance at the nearest district office (either Alexandria or Norfolk – see *Appendix G* for the location of these offices). All documentation that the INS has sent to the asylee about the employment authorization application, along with proof of identity, should be presented to the INS employee.
- g. A general overview of the application process for the EAD is available on the web at:
<http://www.ins.usdoj.gov/graphics/howdoi/ead.htm>

H. Notices and Appeals

1. Notification of Approval or Denial

- a. After a refugee has applied for assistance programs, the local Department of Social Services will provide notice to the individual of the determination. This should be done in a timely manner, and should in no case exceed:

- 30 days of application for the RCA program
 - 45 days of application for TANF (the Office of Newcomer Services recommends that local agencies adopt a policy of notification within 30 days, in order to mirror the RCA program)
 - 30 days of application for Food Stamps (seven days for those qualified for expedited service)
- b. The notification should clearly indicate the programs for which the refugee has been denied and/ or approved (i.e. TANF, RCA, Food Stamps, etc.).
 - c. Notice should also be given in a timely manner (at least 10 days before the action is to occur) for reductions, suspensions, and terminations.
 - d. Any communication between the local agency and the refugee should be written in English and in the individual's native language, if it is the language of a group that forms a significant portion of the recipient population. If the individual's native language does not fit this category, **the agency will be responsible for at least providing verbal translation of the notice to the refugee.**
 - e. If the individual is determined ineligible for assistance, the notice must include an explanation of ineligibility, along with a statement about the refugee's right to appeal the decision.

2. Appeals

- a. Refugees who have applied for or are receiving some form of temporary assistance have a right to appeal in the following instances:
 - 1) When they have been denied eligibility.
 - 2) When they have not been notified of the determination within 30 or 45 days of application (see section H.1 above).
 - 3) When they disagree with the amount of financial assistance they have been awarded.
 - 4) When they have received advance notice of a reduction or termination in benefits.
- b. The appeal must be received within 90 days of notification for Food Stamps and 30 days for financial assistance in order to be considered.

- c. Provision must be made by the local Department of Social Services to ensure that access to the appeal process is not denied in any way because of the refugee's limited English proficiency (see sections II.E.1 and IV.E.3 in this manual).
 - d. If the refugee has been receiving benefits or services and makes an appeal in a timely manner, any action to change the status of the case will not take effect until after the appeal process has been completed. Benefits are subject to recovery by the agency, however, if the case is sustained.
 - e. A decision on the case will be made in writing within 60 days of the date that the refugee requests a hearing. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit.
 - f. The refugee should be notified that free legal advice can be obtained through the local legal aid office.
- I. ***Unaccompanied Minors*** – The Office of Newcomer Services, through a private contract agency, sponsors a program that resettles unaccompanied refugee minors in the state of Virginia. These refugee youth are eligible to receive the full range of services and benefits to which children in foster care in Virginia are entitled, including foster care maintenance and support services. For more information about the Unaccompanied Minors Program, see section VI in this manual.